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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA, )  
12 Plaintiff, )  
13 v. ) 2:12-CV-1026-JCM-(RJJ)  
14 \$69,130.00 IN UNITED STATES CURRENCY, )  
15 Defendant. )

16 DEFAULT JUDGMENT OF FORFEITURE

17 The United States filed a verified Complaint for Forfeiture in Rem on June 15, 2012. ECF  
18 No. 1. The Complaint (ECF No. 1) alleges the defendant property:

- 19 a. was furnished or was intended to be furnished in exchange for controlled  
20 substances in violation of Title II of the Controlled Substances Act, 21 U.S.C.  
21 § 801 *et seq.*, and is subject to forfeiture to the United States pursuant to 21  
22 U.S.C. § 881(a)(6);
- 23 b. is proceeds traceable to exchanges of controlled substances in violation of Title  
24 II of the Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and is subject to  
25 forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6);

26 ...

1           c.       was used or was intended to be used to facilitate violations of Title II of the  
2                   Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, and is subject to forfeiture  
3                   to the United States pursuant to 21 U.S.C. § 881(a)(6).

4           It appearing that process was fully issued in this action and returned according to law;

5           On June 27, 2012, the Court entered an Order for Summons and Warrant of Arrest in Rem  
6           for the Property and Notice and issued the Summons and Warrant of Arrest in Rem. ECF Nos. 4 and  
7           5.

8           Pursuant to the Order (ECF No. 4), the Complaint (ECF No. 1), the Order (ECF No. 4), the  
9           Summons and Warrant (ECF No. 5), and the Notice of Complaint for Forfeiture (ECF No. 6) were  
10          served on the defendant property, and the Notice was published according to law. ECF No. 7. All  
11          persons interested in the defendant property were required to file their claims with the Clerk of the  
12          Court within 30 days of the publication of the Notice or within 35 days of actual notice of this action,  
13          as applicable, followed by the filing of an answer to the Complaint within 21 days after the filing of  
14          their respective claims. ECF Nos. 1, 4, 5, 6, and 7.

15          Public notice of the forfeiture action and arrest was given to all persons and entities by  
16          publication on the official government website [www.forfeiture.gov](http://www.forfeiture.gov) from September 18, 2012, through  
17          October 17, 2012. ECF No. 7, p. 2-4.

18          On August 10, 2012, the United States Marshals Service served the Complaint, the Summons  
19          and Warrant of Arrest in Rem for the Property, the Order, and the Notice by executing them on the  
20          defendant property. ECF No. 6, p. 2-16.

21          On October 26, 2012, the Notice of Filing Proof of Publication Process was filed. ECF No.  
22          7.

23          No person or entity has filed a claim, answer, or responsive pleading within the time permitted  
24          by 18 U.S.C. § 983(a)(4) and Fed. R. Civ. P. Supp. Rule G(4) and (5).

25          On November 20, 2012, the United States filed a Request for Entry of Default against the  
26          defendant property and all persons or entities who claim an interest in the defendant property in the

1 above-entitled action. ECF No. 8.

2 On November 21, 2012, the Clerk of the Court entered a Default against the defendant  
3 property and all persons or entities who claim an interest in the defendant property in the above-  
4 entitled action. ECF No. 9.

5 Brian Grossman is not in the military service within the purview of the Servicemembers Civil  
6 Relief Act.

7 Samuel Scott Raymer is not in the military service within the purview of the Servicemembers  
8 Civil Relief Act.

9 The allegations of the Complaint are sustained by the evidence and are adopted as findings  
10 of fact. The Court concludes as a matter of law that the United States is entitled to the relief requested  
11 in the Complaint.

12 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
13 Default Judgment of Forfeiture be entered against the defendant property and all persons or entities  
14 who claim an interest in the defendant property in the above-entitled action.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said property be, and the  
16 same is hereby forfeited to the United States of America, and no right, title, or interest in the property  
17 shall exist in any other party.

18 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was reasonable  
19 cause for the seizure or arrest of the defendant property.

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21   
22 UNITED STATES DISTRICT JUDGE

23 DATED: November 28, 2012  
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